

Decision 20-09-032 September 24, 2020

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Develop a Risk-Based Decision-Making Framework to Evaluate Safety and Reliability Improvements and Revise the General Rate Case Plan for Energy Utilities.

Rulemaking 13-11-006

**DECISION GRANTING COMPENSATION TO
THE UTILITY REFORM NETWORK
FOR SUBSTANTIAL CONTRIBUTION TO
DECISION (D.) 16-06-005 AND D.20-01-002**

Intervenor: The Utility Reform Network (TURN)	For contribution to Decision (D.) 16-06-005 and D.20-01-002
Claimed: \$45,263.60	Awarded: \$45,263.60
Assigned Commissioner: Clifford Rechtschaffen	Assigned ALJ: ALJ Division ¹

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	<p>In D.16-06-005, <i>Decision Addressing the Petition for Modification of Decision 14-12-025 Regarding Adding an Additional Attrition Year</i>, the Commission denied the petition for modification filed by SDG&E, SoCalGas, and the Office of Ratepayer Advocates [now called the Public Advocates Office] seeking modification of D.14-12-025 to change the length of the GRC cycle from three to four years.</p> <p>In D.20-01-002, <i>Decision Modifying the Commission's Rate Case Plan for Energy Utilities</i>, the Commission modified the Rate Case Plan (RCP) to promote more efficient processing of GRCs and also extended the GRC cycle for each utility from three years to four years. The Commission also directed Energy Division staff to facilitate workshops in the</p>
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¹ Assigned ALJ Roscow has since retired.

	next year addressing proposals to further increase the efficient processing of GRC proceedings by standardizing GRC filings, standardizing and streamlining certain forecasting methods, and making RO modeling more consistent across utilities, among other topics.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812²:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	4/29/14	Verified
2. Other specified date for NOI:	Within 30 days of reply comments	Verified
3. Date NOI filed:	2/26/14	Verified
4. Was the NOI timely filed?		Yes
Showing of eligible customer status (§ 1802(b) or eligible local government entity status (§§ 1802(d), 1802.4):		
5. Based on ALJ ruling issued in proceeding number:	A.12-11-009	Verified
6. Date of ALJ ruling:	9/6/13	Verified
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
Showing of “significant financial hardship” (§1802(h) or §1803.1(b)):		
9. Based on ALJ ruling issued in proceeding number:	A.12-11-009	Verified
10. Date of ALJ ruling:	9/6/13	Verified
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.20-01-002	Verified
14. Date of issuance of Final Order or Decision:	1/22/20	Verified

² All statutory references are to California Public Utilities Code unless indicated otherwise.

	Intervenor	CPUC Verification
15. File date of compensation request:	3/20/20	Verified
16. Was the request for compensation timely?		Yes

PART II: SUBSTANTIAL CONTRIBUTION

A. Did the Intervenor substantially contribute to the final decision (*see* § 1802(j), § 1803(a), 1803.1(a) and D.98-04-059):

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p><u>D.16-06-005</u></p> <p>In D.16-06-005, the Commission denied the Petition for Modification (PFM) filed by Cal Advocates and SDG&E/SoCalGas to extend the 3-year GRC cycle affirmed in D.14-12-025 to 4-years.</p> <p>1. TURN contributed to the Commission's conclusion in D.16-06-005 that the PFM should be denied because "extending the GRC cycle by an additional year will delay the time for the Commission and interested parties to incorporate the RAMP process in future GRC filings of the energy utilities, and to learn from the early RAMP process."</p>	<ul style="list-style-type: none"> • D.16-06-005, p. 5. • Response of TURN and UCAN to the PFM, 11/23/15, pp. 5-6 (extending the GRC cycle to 4-years will postpone the incorporation of the RAMP into the GRC process by a year for all utilities, contrary to the Commission's intent to prioritize safety and risk-based decision-making); pp. 6-7 (a 4-year cycle would also delay each utility's second RAMP filing, during which the Commission will be able to assess the implementation of the first RAMP and make mid-course corrections). 	Verified
<p>2. TURN contributed to the Commission's conclusion in D.16-06-005 that the PFM should be denied because "the moving parties have not presented any new reasons as to why we should change the GRC cycle from three to four years."</p>	<ul style="list-style-type: none"> • D.16-06-005, p. 5 (explaining the Commission's two reasons for maintaining the 3-year GRC cycle affirmed in D.14-12-025 and denying the PFM). • Response of TURN and UCAN to the PFM, 11/23/15, pp. 2-5 (demonstrating that the 	Verified

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
	<p>Commission was aware of the risk of delays in GRC proceedings when it adopted D.14-12-025, and this is not a new reason for a 4-year cycle presented in the PFM).</p> <ul style="list-style-type: none"> • Reply Comments of TURN on the Proposed Decision, pp. 1-2 (rebutting the petitioners' suggestion that the delayed SCE GRC and PG&E GT&S decisions were "new developments" that the Commission did not consider in the PD). 	
<p><u>D.20-01-002</u></p> <p>In D.20-01-002, the Commission modified the Rate Case Plan (RCP) to "promote efficient and effective management of the rate case proceedings," which was the major issue area scoped into R.13-11-006 left unresolved by D.14-12-025. Following the issuance of the Scoping Memo on 5/15/14, the Commission separated the "Round 2" issue of whether and how to modify the RCP to promote efficient and effective management of GRCs from the "Round 1" issue of the development and adoption of a risk-based decision-making framework, which was ultimately resolved in D.14-12-025. After initial comments on the Order Instituting Rulemaking, parties addressed Round 2 proposals in opening and reply comments filed in July-August 2014, through a workshop in January</p>		Noted

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>2017, through comments on the workshop report filed in April 2018, and in comments and reply comments filed in October 2019 on the Proposed Decision (PD) that preceded D.20-01-002. TURN made a number of substantial contributions to D.20-01-002, as detailed below.</p>		
<p>1. New GRC Schedule</p> <p>TURN contributed to the new GRC Schedule adopted in D.20-01-002 in several regards.</p> <p>First, TURN contributed to the Commission's determination that the GRC Application should be filed on May 15. The PD had proposed a filing date of March 1. TURN pointed out that this date was too early to permit the utilities to include a full year of spending data for the "base year," which is usually not available until March. TURN proposed that GRC Applications be filed instead on May 1 to permit the inclusion of this data, while preserving the time for Cal Advocates to prepare its testimony. TURN also indicated that it did not oppose the later deadline of June 1 that the utilities proposed, as long as the utilities were willing to accept a reduction in the time for the preparation of the ALJ's proposed decision and</p>	<ul style="list-style-type: none"> • D.20-01-002, pp. 47-48 (GRC Application filing date) • TURN Comments on PD, 10/24/19, pp. 5-6 (GRC Application filing date) • TURN Reply Comments on PD, 10/29/19, pp. 3-4 (GRC filing date) • TURN Comments on Staff Workshop Report, 4/5/18, pp. 7-8 (due date for intervenor testimony set 25 days after Cal Advocates' testimony) • Proposed Decision, p. 43, Table 3 (showing 25 days between Cal Advocates' testimony and intervenor testimony) • TURN Comments on PD, 10/24/19, p. 7 (due date for intervenor testimony) • D.20-01-002, pp. 46-47 (citing TURN's "useful discussion of the pros and cons of eliminating the staggered deadlines" and consolidating the due dates for Cal Advocates' and intervenors' testimony) 	<p>Verified</p>

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>attendant risk of a late PD. Considering these factors, the Commission modified the PD to adopt a due date of May 15.</p> <p>Second, TURN contributed to the Commission's determination that testimony presented by Cal Advocates and intervenors could both be due on the same date in December in order to accommodate the later application filing date TURN proposed. Earlier in this proceeding, TURN had recommended that the new RCP include 25 days between Cal Advocates' testimony and intervenor testimony to allow for coordination. The schedule presented in the PD adopted this recommendation.</p> <p>TURN later offered an alternative of consolidating these due dates in comments on the PD to help resolve the scheduling dilemma, while also warning that coordination would be more challenging. The Commission took TURN's caution into account in accepting TURN's alternative of combining the due dates for Cal Advocates' and intervenors' testimony.</p>		
<p>2. Length of GRC Cycle</p> <p>TURN recommended that the Commission retain the current 3-year GRC cycle specified in the Rate Case Plan (and consolidate PG&E's GRC and</p>	<ul style="list-style-type: none"> • TURN Second Round Opening Comments, 7/25/14, p. 7 • TURN Workshop Presentation, 1/11/17 (See Attachment 5) 	Verified

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>GT&S proceedings). TURN presented this position as a panelist at the workshop held by Energy Division in January 2017. Energy Division agreed with TURN in its Workshop Report, recommending that the Commission retain the 3-year GRC cycle for the time being.</p> <p>Contrary to TURN's and Staff's recommendation, the Commission in D.20-01-002 determined that the RCP should be modified to four-year GRC cycle. The Commission reached this conclusion only after carefully considering the concerns raised by TURN and other parties. The Commission explained that TURN's comments and workshop presentation (and SCE's) "offer detailed and well-reasoned analyses of the forecasting, accounting, and ratemaking challenges that we believe can be addressed so as to mollify parties' concerns about moving to a four-year cycle." More specifically, the Commission reasoned that "the improved monitoring tools provided by new reporting requirements should directly address the first two concerns listed by TURN" and TURN's third concern has been impacted by the passage of time and experienced gained with the S-MAP and RAMP processes.</p> <p>Although the Commission did not adopt TURN's position,</p>	<ul style="list-style-type: none"> • TURN Reply Comments on Staff Workshop Report, 4/19/20, pp. 1-5 (defending Staff's proposal to retain the 3-year GRC cycle) • D.20-01-002, pp. 32, 39-40 	

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>TURN submits that it made a substantial contribution to the Commission's analysis of whether to move to a 4-year GRC cycle. As the Commission stated, "As summarized above, we have found parties' comments on both sides of this question to be very useful in deciding whether to move to a four-year GRC cycle."</p>		
<p>3. Stipulated Terms and Rebuttable Presumptions</p> <p>TURN offered a number of recommendations to improve the presentation of utility data in GRCs and to increase transparency and reduce the time needed for intervenors to review the utility's showing. Among them was the use of stipulated terms and rebuttable presumptions to reduce litigated issues and process GRCs more efficiently. When Energy Division agreed that this issue should be explored in a workshop, TURN recommended that the Commission expedite the consideration of this topic because of the potential benefits to all GRC participants.</p> <p>In D.20-01-002, the Commission directed Energy Division to facilitate workshops over the next 12 months that would "further explore and develop proposals</p>	<ul style="list-style-type: none"> • TURN Second Round Opening Comments, 7/25/14, p. 3 • TURN Workshop Presentation, 1/11/17 (See Attachment 5) • TURN Comments on Staff Workshop Report, 4/5/18, pp. 3-4 • D.20-01-002, pp. 62-64 	<p>Verified</p>

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>to increase the efficiency of GRC proceedings, including” the use of “stipulated terms or rebuttable presumptions”. The Commission agreed with TURN that a workshop on this topic “should be held as soon as reasonably practicable to further refine the recommendations at the 2017 workshop and in the 2018 Staff Report regarding approaches that could reduce the number of litigated issues.” As the Commission explained, “[T]he workshops directed in this decision should focus on building a framework for the utility’s initial showing that rests upon stipulated approaches to escalating capital expenditures or operating expenses, or rebuttable presumptions about the same test year operating expense forecasts. This framework could become common to every GRC, for every utility,” as TURN had recommended.</p>		
<p>4. Improvements to the Master Data Request</p> <p>One of TURN’s proposals to streamline the processing of GRCs without compromising the quality of review was updating the Master Data Request (MDR) to incorporate questions commonly asked by intervenors, thus reducing the need for separate discovery. TURN agreed with other</p>	<ul style="list-style-type: none"> • TURN Second Round Opening Comments, 7/25/14, pp. 4-5 • TURN Second Round Reply Comments, 8/22/14, p. 5 • TURN Reply Comments on Staff Workshop Report, 4/19/20, pp. 8-9 • D.20-01-002, pp. 58-59 	<p>Verified</p>

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>parties who suggested that a workshop would be an appropriate forum for discussing changes to the MDR to better meet the contemporary data needs of the Commission, Public Advocates Office, and regular GRC intervenors. Later during Energy Division's workshop, SCE recommended more specifically that the MDR be discussed as part of a workshop covering the standardization of GRC filings, an approach endorsed by TURN.</p> <p>In D.20-01-002, the Commission agreed with TURN and other parties that one way to increase the efficiency of GRC processing is through the standardization of the Master Data Request (and the format for other data requests). The Commission accordingly included this topic among the workshops required by D.20-01-002.</p>		
<p>5. Incorporating "Base Year +1" Data</p> <p>Another one of TURN's proposals to streamline the processing of GRCs without compromising the quality of review was for the Commission to require the utilities to provide the last full year of recorded data (for the year after the base year, called Base Year +1) as soon as it is</p>	<ul style="list-style-type: none"> • TURN Second Round Opening Comments, 7/25/14, p. 5 • D.20-01-002, pp. 61-62. 	<p>Verified</p>

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>available, at a date set at the Prehearing Conference. This is an issue that TURN has raised in many individual GRCs.</p> <p>The Commission recognized the value of this data in D.20-01-002, discussing how the Commission's decision-making benefited from having Base Year +1 data available in the last SCE GRC. The Commission concluded that incorporating Base Year +1 recorded data "should be considered a standard milestone in every energy GRC." Accordingly, the Commission directed Energy Division to include standardizing the incorporation of Base Year +1 data into GRCs as a workshop topic. Specifically, "Stakeholders should endeavor to reach consensus on a means of incorporating this data into every GRC on an agreed-upon schedule."</p>		
<p>6. Combining PG&E's GT&S Rate Case with the GRC</p> <p>At the workshop held by Energy Division, TURN recommended that the Commission merge PG&E's GRC and GT&S rate case proceedings to reduce inefficiencies and promote an enterprise-wide perspective on risk and safety spending. Energy Division later endorsed</p>	<ul style="list-style-type: none"> • TURN Workshop Presentation, 1/11/17 (See Attachment 5) • TURN Comments on Staff Workshop Report, 4/5/18, p. 2 • D.20-01-002, pp. 42-44 	<p>Verified</p>

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>this change in its Workshop Report. To help with implementation of this proposal, TURN additionally recommended removing the cost allocation and rate design issues that are included in the GT&S and instead addressing those as part of PG&E's periodic gas cost allocation and rate design proceedings. PG&E raised a similar concern.</p> <p>In D.20-01-002, the Commission agreed that PG&E should file a single GRC application that incorporates its GT&S revenue requirement. The gas cost allocation and rate design issues historically addressed in PG&E's GT&S rate case will be combined with PG&E's future GCAP applications, consistent with any guidance that may be developed through the workshops ordered by D.20-01-002.</p>		
<p>7. Role of Attrition Year Mechanisms</p> <p>TURN contributed to the Commission's conclusion that it would be inappropriate to modify the Proposed Decision, as SCE urged, to guarantee that each utility will receive an attrition mechanism that "fully compensates" the utility for its costs of service in the attrition years. SCE conditioned its support for moving to a</p>	<ul style="list-style-type: none"> • TURN Reply Comments on PD, 10/29/19, pp. 1-2 • D.20-01-002, pp. 40-41 (agreeing with TURN and noting "TURN's thorough recitation of the Commission's history on this issue," and adding this to the list of topics for future workshops) 	<p>Verified</p>

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>four-year GRC cycle on the Commission's addition of such language to the PD. Instead, the Commission suggested that parties should "discuss and develop recommendations regarding how the Commission should apply the long-standing principles that underlie attrition adjustments," which were cited by TURN, "to any particular challenges associated with a four-year GRC cycle or emergent issues" at the upcoming workshops.</p>		
<p>8. Review and Monitoring of Utility Spending During the GRC Cycle</p> <p>In comments on the Proposed Decision, TURN recommended that the Commission modify the PD to remove any suggestion that the spending accountability reporting requirements highlighted by the PD reduce the importance of reviewing a utility's GRC forecasts. TURN also pointed out the gaps in utility reported data, such that certain costs funded through a GRC are not subject to the Spending Accountability Reports and thus cannot be monitored during a GRC cycle.</p> <p>The Commission in D.20-01-002 addressed both of TURN's concerns. First, the Commission clarified that "the PD simply affirms the same</p>	<ul style="list-style-type: none"> • TURN Comments on PD, 10/24/19, pp. 3-4 (gaps in the GRC costs subject to the spending accountability reports); pp. 4-5 (recommending modifications to the PD to affirm the importance of reviewing a utility's GRC forecasts) • D.20-01-002, pp. 37-38 (putting to rest TURN's concerns about a change in the Commission's view of GRC ratemaking principles) • D.20-01-002, p. 71 (adding the workshop topic of reporting gaps and citing TURN's comments on the PD) 	<p>Verified</p>

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
ratemaking principles that guide [TURN's and others'] approach to, and expectations of, GRCs" while pointing to the need to determine "how to adhere to these principles in a world where—as all stakeholders can surely agree – events are moving much more quickly." Second, the Commission added a topic for the upcoming workshops about gaps in current reporting requirements, as TURN had flagged.		

B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor's Assertion	CPUC Discussion
a. Was the Public Advocate's Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?³	Yes	Yes
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Yes
c. If so, provide name of other parties: TURN's positions overlapped to varying extents with those of the Energy Producers and Users Coalition (EPUC), Utility Consumers' Action Network (UCAN), and San Diego Consumers' Action Network, all of which filed Round 2 comments in 2014 but did not file comments later in the proceeding on RCP issues. TURN's positions also overlapped to some extent with those of SCE and the Coalition of California Utility Employees (CUE), which both supported retaining a three-year GRC cycle. The Southern California Generation Coalition (SCGC) filed comments on the workshop report, sharing TURN's view that Staff correctly recommended that the Commission retain a 3-year GRC cycle.		Noted
d. Intervenor's claim of non-duplication:		Noted

³ The Office of Ratepayer Advocates was renamed the Public Advocate's Office of the Public Utilities Commission pursuant to Senate Bill No. 854, which the Governor approved on June 27, 2018.

	Intervenor's Assertion	CPUC Discussion
	<p>TURN regularly coordinated with Cal Advocates throughout the course of this proceeding. Our positions diverged on some issues, such as whether to move to a four-year GRC cycle, and were aligned on others. For the most part, TURN and Cal Advocates offered distinct recommendations. Where we shared positions, TURN offered unique analysis and support for our recommendations, thus complementing the showing of Cal Advocates.</p> <p>TURN also coordinated with UCAN and CUE in responding to the PFM filed by Cal Advocates and SDG&E/SoCalGas to move to a 4-year GRC cycle. TURN and UCAN jointly filed a response to the PFM, thus avoiding duplication.</p> <p>Next, TURN discussed comments on the Staff workshop report with SCGC, given our shared interest in a 3-year GRC cycle, so that TURN could avoid duplication in reply comments. SCGC did not file reply comments, but TURN did.</p> <p>Finally, in a proceeding such as this where many stakeholder groups are encouraged to participate, some degree of duplication may be practically unavoidable.⁴ TURN at times advanced recommendations that overlapped with the positions of other parties, including parties with whom TURN's interests are quite distinct (such as the utilities). Nonetheless, TURN submits that its compensation in this proceeding should not be reduced for duplication of the showings of other parties. Rather, the Commission should find that there was no undue duplication, as any duplication served to materially supplement, complement or contribute to the showing of another party and, therefore, is fully compensable under PU Code Section 1802.5.</p> <p>For all of these reasons, TURN submits that there was no undue duplication between TURN's participation and that of Cal Advocates and the other parties with whom TURN shared some positions.</p>	

⁴ See, i.e., D.96-08-040 (67 CPUC 2d 562, 575-576.X) (“[B]ecause of the extraordinary level of participation required of both parties and intervenors throughout these proceedings, we find that a reduction in the amount awarded to intervenors based on duplication of effort is unwarranted. Section 1803(b) requires that the awarding of fees to intervenors “be administered in a manner that encourages the effective and efficient participation of all groups that have a stake in the public utility regulation process.” Each of the intervenor groups clearly has a stake in the process of restructuring California’s electrical services industry and we are grateful for their participation in these proceedings. Moreover, we rely on them to continue their effective and efficient participation in our proceedings as we move forward with the many implementation tasks ahead. [footnote omitted] . . . In a broad, multi-issue proceeding such as this, we expect to see some duplication of contribution. This duplication does not diminish the value of that contribution to the Commission. In our view, to deduct from an award of reasonable fees in this case would not encourage the effective and efficient participation of all stakeholders in the spirit of § 1801.3(b).”)

PART III: REASONABLENESS OF REQUESTED COMPENSATION**A. General Claim of Reasonableness (§ 1801 and § 1806):**

	CPUC Discussion
<p>a. Intervenor’s claim of cost reasonableness:</p> <p>TURN’s request for intervenor compensation seeks an award of approximately \$45,000 as the reasonable cost of our participation in portions of this proceeding resolved by D.16-06-005 and D.20-01-002. In light of the quality of TURN’s work and the magnitude of TURN’s substantial contribution to the proceeding and the resulting decisions, TURN submits that the amount requested is reasonable.</p> <p>TURN’s advocacy reflected in D.16-06-005 and D.20-01-002 addressed policy and process matters rather than specific rates or disputes over particular dollar amounts. As a result, TURN cannot easily identify precise monetary benefits to ratepayers from our work related to D.16-06-005 and D.20-01-002, given the nature of the issues presented. While it is difficult to place a dollar value on such issues, TURN submits that our participation should result in substantial benefits in the form of a more consistent presentation and efficient processing of GRCs going forward. In sum, the Commission should conclude that TURN’s overall request is reasonable given the issues at stake in the rulemaking and the adopted outcomes.</p>	Noted
<p>b. Reasonableness of hours claimed:</p> <p>This Request for Compensation includes approximately 110 hours for TURN’s attorneys and consultant time. This time includes the preparation of eight formally filed pleadings, two related to D.16-06-005 and six related to D.20-01-002, plus participation on the morning and afternoon panels at Energy Division’s workshop on January 11, 2017.</p> <p>TURN Staff Attorney Hayley Goodson took the lead on the Round 2 issues resolved by D.20-01-002. Ms. Goodson has managed many GRCs for TURN over the past two decades and brought that management expertise to bear on this proceeding. She also benefitted from input from TURN’s General Counsel Robert Finkelstein, who has even more GRC experience than Ms. Goodson, as well as from TURN’s Legal Director Thomas Long. Robert Finkelstein took the lead on TURN’s work related to the PFM resolved by D.16-06-005, as it flowed from his work in the SDG&E/SoCalGas TY 2016 GRC.</p> <p>TURN also retained William Marcus for expert consulting support. Mr. Marcus developed a set of recommendations intended to conform the RCP to the modern realities of GRCs and to reduce the complexity of these</p>	Noted

				CPUC Discussion																								
<p>proceedings, without compromising the integrity of the Commission’s review and ultimate ability to ensure that rates approved through a GRC are just and reasonable. TURN presented Mr. Marcus’s recommendations in comments, and Mr. Marcus also discussed his proposals for simplifying GRCs as a panelist at the workshop held on January 11, 2017.</p> <p>Given TURN’s substantial contributions in this proceeding, the Commission should find that the number of hours claimed by TURN is reasonable. Should the Commission believe that more information is needed or that a different approach to discussing the reasonableness of the requested hours is warranted here, TURN requests the opportunity to supplement this section of the request.</p>																												
<p>c. Allocation of hours by issue:</p> <p>TURN has allocated its daily time entries by activity codes to better reflect the nature of the work reflected in each entry. TURN has used the following activity codes:</p> <table><tr><th>Code</th><th>Description</th><th>Allocation of Time</th><th>Hours</th></tr><tr><td>Round2</td><td>The work in this category was related to the development and presentation of TURN's "Round 2" proposals on streamlining and increasing the efficient processing of GRC proceedings in comments filed in 2014.</td><td>23.40%</td><td>25.92</td></tr><tr><td>Round2-WS</td><td>The work in this category was related to participation in the workshop held by Energy Division Staff on the Round 2 proposals and commenting thereafter on Staff's workshop report.</td><td>36.64%</td><td>40.58</td></tr><tr><td>PFM</td><td>The work in in this category was related to the Petition for Modification (PFM) of D.14-12-025 filed by SDG&E, SoCalGas, and the Public Advocates Office.</td><td>12.64%</td><td>14.00</td></tr><tr><td>PD</td><td>This work was related to reviewing the Proposed Decision which preceded D.20-01-002 and preparing comments.</td><td>16.93%</td><td>18.75</td></tr><tr><td>GP</td><td>The work in this category includes activities associated with general participation in this proceeding, such as reading ALJ procedural rulings, and reading parties' pleadings as necessary to determine whether TURN should address the issues raised.</td><td>1.58%</td><td>1.75</td></tr></table>				Code	Description	Allocation of Time	Hours	Round2	The work in this category was related to the development and presentation of TURN's "Round 2" proposals on streamlining and increasing the efficient processing of GRC proceedings in comments filed in 2014.	23.40%	25.92	Round2-WS	The work in this category was related to participation in the workshop held by Energy Division Staff on the Round 2 proposals and commenting thereafter on Staff's workshop report.	36.64%	40.58	PFM	The work in in this category was related to the Petition for Modification (PFM) of D.14-12-025 filed by SDG&E, SoCalGas, and the Public Advocates Office.	12.64%	14.00	PD	This work was related to reviewing the Proposed Decision which preceded D.20-01-002 and preparing comments.	16.93%	18.75	GP	The work in this category includes activities associated with general participation in this proceeding, such as reading ALJ procedural rulings, and reading parties' pleadings as necessary to determine whether TURN should address the issues raised.	1.58%	1.75	Noted
Code	Description	Allocation of Time	Hours																									
Round2	The work in this category was related to the development and presentation of TURN's "Round 2" proposals on streamlining and increasing the efficient processing of GRC proceedings in comments filed in 2014.	23.40%	25.92																									
Round2-WS	The work in this category was related to participation in the workshop held by Energy Division Staff on the Round 2 proposals and commenting thereafter on Staff's workshop report.	36.64%	40.58																									
PFM	The work in in this category was related to the Petition for Modification (PFM) of D.14-12-025 filed by SDG&E, SoCalGas, and the Public Advocates Office.	12.64%	14.00																									
PD	This work was related to reviewing the Proposed Decision which preceded D.20-01-002 and preparing comments.	16.93%	18.75																									
GP	The work in this category includes activities associated with general participation in this proceeding, such as reading ALJ procedural rulings, and reading parties' pleadings as necessary to determine whether TURN should address the issues raised.	1.58%	1.75																									

				CPUC Discussion
Comp	The work in this category was related to preparing this request for intervenor compensation.	8.80%	9.75	
TOTAL		100.00%	110.75	
If the Commission believes that a different approach to issue-specific allocation is warranted here, TURN requests the opportunity to supplement this section of the request.				

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Robert Finkelstein, TURN General Counsel	2014	1.00	\$505	D.15-08-023	\$505.00	1.00	\$505.00	\$505.00
Robert Finkelstein, TURN General Counsel	2015	9.75	\$505	D.16-11-004	\$4,923.75	9.75	\$505.00	\$4,923.75
Robert Finkelstein, TURN General Counsel	2016	3.25	\$510	D.16-11-004	\$1,657.50	3.25	\$510.00	\$1,657.50
Robert Finkelstein, TURN General Counsel	2017	1.50	\$520	D.17-11-032	\$780.00	1.50	\$520.00	\$780.00
Robert Finkelstein, TURN General Counsel	2018	0.50	\$530	D.18-11-043	\$265.00	0.50	\$530.00	\$265.00
Robert Finkelstein, TURN General Counsel	2019	0.50	\$540	D.19-11-015	\$270.00	0.50	\$540.00	\$270.00

CLAIMED						CPUC AWARD		
Robert Finkelstein, TURN General Counsel	2020	0.50	\$550	See Comment #2	\$275.00	0.50	\$550.00[1]	\$275.00
Hayley Goodson, TURN Staff Attorney	2014	23.00	\$355	D.15-08-023	\$8,165.00	23.00	\$355.00	\$8,165.00
Hayley Goodson, TURN Staff Attorney	2015	0.50	\$355	D.16-10-036	\$177.50	0.50	\$355.00	\$177.50
Hayley Goodson, TURN Staff Attorney	2016	1.50	\$380	D.17-03-022	\$570.00	1.50	\$380.00	\$570.00
Hayley Goodson, TURN Staff Attorney	2017	19.25	\$405	D.18-01-020	\$7,796.25	19.25	\$405.00	\$7,796.25
Hayley Goodson, TURN Staff Attorney	2018	10.75	\$435	D.18-04-020	\$4,676.25	10.75	\$435.00	\$4,676.25
Hayley Goodson, TURN Staff Attorney	2019	15.25	\$445	D.19-11-009	\$6,786.25	15.25	\$445.00	\$6,786.25
Hayley Goodson, TURN Staff Attorney	2020	1.25	\$455	See Comment #1	\$568.75	1.25	\$455.00[1]	\$568.75
Thomas Long, TURN Legal Director	2014	2.50	\$570	D.15-06-021	\$1,425.00	2.50	\$570.00	\$1,425.00
Thomas Long, TURN Legal Director	2015	1.75	\$570	D.16-11-004	\$997.50	1.75	\$570.00	\$997.50

CLAIMED						CPUC AWARD		
Thomas Long, TURN Legal Director	2017	1.00	\$585	D.17-11-029	\$585.00	1.00	\$585.00	\$585.00
Thomas Long, TURN Legal Director	2018	0.50	\$600	D.18-05-036	\$300.00	0.50	\$600.00	\$300.00
Thomas Long, TURN Legal Director	2019	1.00	\$615	D.19-11-015	\$615.00	1.00	\$615.00	\$615.00
Thomas Long, TURN Legal Director	2020	0.25	\$625	See Comment #3	\$156.25	0.25	\$625.00[2]	\$156.25
William Marcus, JBS Energy	2014	0.17	\$270	D.16-04-011	\$45.90	0.17	\$270.00	\$45.90
William Marcus, MCPM Economics	2017	5.33	\$280	D.19-02-019	\$1,492.40	5.33	\$280.00	\$1,492.40
Subtotal: \$43,033.30						Subtotal: \$43,033.30		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Hayley Goodson, TURN Staff Attorney	2020	9.75	\$227.50	1/2 of requested 2020 hourly rate; See Comment #1	\$2,218.13	9.75	\$227.50[1]	\$2,218.13
Subtotal: \$2,218.13						Subtotal: \$2,218.13		
COSTS								
#	Item	Detail			Amount	Amount		
1.	Copies	Photocopies of filings for mailing			\$5.10	\$5.10		
2.	Postage	Postage for mailing filings			\$7.07	\$7.07		
Subtotal: \$12.17						Subtotal: \$12.17		
TOTAL REQUEST: \$45,263.60						TOTAL AWARD: \$45,263.60		
*We remind all intervenors that Commission staff may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§1804(d)). Intervenors must make and retain adequate								

CLAIMED			CPUC AWARD
<p>accounting and other documentation to support all claims for intervenor compensation. Intervenor's records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer's normal hourly rate</p>			
ATTORNEY INFORMATION			
Attorney	Date Admitted to CA BAR ⁵	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation
Robert Finkelstein	June 1990	146391	No
Hayley Goodson	December 2003	228535	No
Thomas Long	December 1986	124776	No

C. Attachments Documenting Specific Claim and Comments on Part III:

Attachment or Comment #	Description/Comment
Attachment 1	Certificate of Service
Attachment 2	Timesheets for TURN's Attorneys and Expert
Attachment 3	TURN Expenses
Attachment 4	TURN Hours Allocated by Issue
Attachment 5	Rate Case Plan Workshop Agenda and TURN Presentation
Comment 1	<p>Hourly Rate for Hayley Goodson -- 2020</p> <p>The Commission has yet to adopt a 2020 COLA for intervenor hourly rates. Pending the Commission's COLA determination, TURN has used a placeholder COLA of 2% to calculate a 2020 rate for TURN Staff Attorney Hayley Goodson. Applying a 2% COLA to Ms. Goodson's authorized 2019 hourly rate of \$445 yields a 2020 hourly rate of \$455 when rounded to the nearest \$5.</p> <p>If the Commission adopts a COLA that supports a different hourly rate for Ms. Goodson, TURN requests that the Commission adjust the requested 2020 hourly rate accordingly.</p>

⁵ This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

Attachment or Comment #	Description/Comment
Comment 2	<p>Hourly Rate for Robert Finkelstein -- 2020</p> <p>The Commission has yet to adopt a 2020 COLA for intervenor hourly rates. Pending the Commission's COLA determination, TURN has used a placeholder COLA of 2% to calculate a 2020 rate for TURN General Counsel Robert Finkelstein. Applying a 2% COLA to Mr. Finkelstein's authorized 2019 hourly rate of \$540 yields a 2020 hourly rate of \$550 when rounded to the nearest \$5.</p> <p>If the Commission adopts a COLA that supports a different hourly rate for Mr. Finkelstein, TURN requests that the Commission adjust the requested 2020 hourly rate accordingly.</p>
Comment 3	<p>Hourly Rate for Thomas Long -- 2020</p> <p>The Commission has yet to adopt a 2020 COLA for intervenor hourly rates. Pending the Commission's COLA determination, TURN has used a placeholder COLA of 2% to calculate a 2020 rate for TURN Legal Director Thomas Long. Applying a 2% COLA to Mr. Long's authorized 2019 hourly rate of \$615 yields a 2020 hourly rate of \$625 when rounded to the nearest \$5.</p> <p>If the Commission adopts a COLA that supports a different hourly rate for Mr. Long, TURN requests that the Commission adjust the requested 2020 hourly rate accordingly.</p>

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1]	The Commission has not approved the 2020 COLA at this time, however, we accept the placeholder 2% COLA and apply it accordingly. Once the 2020 COLA is approved we will adjust the 2020 hourly rate as needed.
[2]	Thomas Long's 2020 2% COLA placeholder has been applied. The application of the 2020 COLA placeholder exceeds the 2019 range for Attorney's with 13+ years of experience, however, the approved rate will fall within the range once the 2020 COLA is approved.

PART IV: OPPOSITIONS AND COMMENTS

Within 30 days after service of this Claim, Commission Staff or any other party may file a response to the Claim (*see* § 1804(c))

A. Opposition: Did any party oppose the Claim?	No
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B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(c)(6))?	Yes
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FINDINGS OF FACT

1. The Utility Reform Network has made a substantial contribution to D.16-06-005 and D.20-01-002.
2. The requested hourly rates for The Utility Reform Network's representatives are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$45,263.60.

CONCLUSION OF LAW

1. The Claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.

ORDER

1. The Utility Reform Network shall be awarded \$45,263.60.
2. Within 30 days of the effective date of this decision, PacifiCorp, Pacific Gas and Electric Company, San Diego Gas & Electric Company, Liberty Utilities (CalPeco Electric) LLC, Southern California Edison Company, Southern California Gas Company, and Southwest Gas Company shall pay The Utility Reform Network their respective shares of the award, based on their California-jurisdictional gas and electric revenues for the 2014 calendar year, to reflect the year in which the proceeding was primarily litigated. If such data is unavailable, the most recent gas and electric revenue data shall be used. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning June 3, 2020, the 75th day after the filing of The Utility Reform Network's request, and continuing until full payment is made.

3. The comment period for today's decision is waived.

This decision is effective today.

Dated September 24, 2020, at San Francisco, California.

MARYBEL BATJER

President

LIANE M. RANDOLPH

MARTHA GUZMAN ACEVES

CLIFFORD RECHTSCHAFFEN

GENEVIEVE SHIROMA

Commissioners

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:	D2009032	Modifies Decision?	No
Contribution Decision(s):	D1606005, D2001002		
Proceeding(s):	R1311006		
Author:	ALJ Division		
Payer(s):	PacifiCorp, Pacific Gas and Electric Company, San Diego Gas & Electric Company, Liberty Utilities (CalPeco Electric) LLC, Southern California Edison Company, Southern California Gas Company, and Southwest Gas Company		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
The Utility Reform Network	3/20/20	\$45,263.60	\$45,263.60	N/A	N/A

Hourly Fee Information

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Robert	Finkelstein	Attorney	\$505	2014	\$505.00
Robert	Finkelstein	Attorney	\$505	2015	\$505.00
Robert	Finkelstein	Attorney	\$510	2016	\$510.00
Robert	Finkelstein	Attorney	\$520	2017	\$520.00
Robert	Finkelstein	Attorney	\$530	2018	\$530.00
Robert	Finkelstein	Attorney	\$540	2019	\$540.00
Robert	Finkelstein	Attorney	\$550	2020	\$550.00
Hayley	Goodson	Attorney	\$355	2014	\$355.00
Hayley	Goodson	Attorney	\$355	2015	\$355.00
Hayley	Goodson	Attorney	\$380	2016	\$380.00
Hayley	Goodson	Attorney	\$405	2017	\$405.00
Hayley	Goodson	Attorney	\$435	2018	\$435.00
Hayley	Goodson	Attorney	\$445	2019	\$445.00
Hayley	Goodson	Attorney	\$455	2020	\$455.00
Thomas	Long	Attorney	\$570	2014	\$570.00
Thomas	Long	Attorney	\$570	2015	\$570.00
Thomas	Long	Attorney	\$585	2017	\$585.00
Thomas	Long	Attorney	\$600	2018	\$600.00
Thomas	Long	Attorney	\$615	2019	\$615.00
Thomas	Long	Attorney	\$625	2020	\$625.00

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
William	Marcus	Expert	\$270	2014	\$270.00
William	Marcus	Expert	\$280	2017	\$280.00

(END OF APPENDIX)